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Attorneys for Defendant
HENRY WALTHER

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

HENRY WALTHER,

Defendant.

Case No. CR 07-00070-DDP

**STIPULATION AND JOINT
REQUEST TO CONTINUE
SENTENCING DATE**

Date: September 21, 2009
Proposed Date: December 7, 2009

Plaintiff United States of America, by and through its counsel of record, the United States Attorney for the Central District of California, and Henry Walther, by and through his counsel-of-record, James D. Henderson, hereby stipulate as follows:

1. In February of 2007, the defendant was charged in a 2 count Information with 1 count of mail fraud and 1 count of money laundering in violation of Title 18, §§ 1341 and 1956, respectively. The defendant has been free on a personal recognizance bond since that date. Defendant pleaded guilty to the Information on March 6, 2007, and has entered into a cooperation agreement with the United States. His efforts to cooperate are continuing.

2. Sentencing currently is set for September 21, 2009, at the hour of 10:00 a.m.

3. Because the defendant is continuing in his efforts to cooperate with law enforcement, and because such efforts are not yet concluded, further time is needed in order to use the information defendant has provided, and continues to provide, in a manner in which law enforcement can obtain maximum use of the information being provided and for the defendant to provide maximum assistance to the Government.

4. Should the defendant be sentenced on the presently set date of September 21, 2009, it will not be possible for the Government to fully or accurately evaluate the full extent of the defendant's cooperation and efforts to cooperate as required by his written plea agreement which is currently on file with the court. This is especially true in view of the recent assignment of A.U.S.A. Daniel A. Saunders to this case in the place of A.U.S.A. Ellyn M. Lindsay.

5. The defendant's assistance to law enforcement presently includes his contemplated trial testimony in Case No. CR 07-00134 DDP currently before this court. This trial is presently scheduled for November 10, 2009.

6. Both counsel for the defendant and counsel for the Government believe that it is in the interests of justice that this joint request for a continuance until December 7, 2009, of the defendant's sentencing date be granted.

7. The defendant will not be prejudiced by the requested continuance as he is not in custody and is presently free on a personal recognizance bond.

8. Defendant's counsel has spoken to his client and represents that his client agrees to a continuance of his sentencing date as proposed in this stipulation.

IT IS SO STIPULATED.

Dated: August 12, 2009

DANIEL A. SAUNDERS
Assistant United States Attorney

By Daniel A. Saunders / by ID Hebersch
DANIEL A. SAUNDERS with permission
Assistant United States Attorney
Attorneys for Plaintiff United States of America

1 Dated: August 12, 2009

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Attorneys for Defendant HENRY WALTHER